

To: Members of the Senate Committee on Education, Sen. Phil Pavlov, Chair  
From: Julie Rowe, AFT Michigan Legislative Mobilization Coordinator  
Re: Opposition to SB 279-280  
Date: December 8, 2016

AFT Michigan is opposed to Senate Bill 280, which would prohibit public employers from negotiating with their employees' unions to include release time in collective bargaining agreements. Union release time is an important and vital element of the collective bargaining process, allowing workers and employers to work cooperatively to improve teaching and learning.

However, this bill casts a wide net and severely inhibits the ability for management and labor to collaborate to solve problems and develop the school environment.

Public schools and students benefit when labor and management are able to communicate, collaborate, and share the responsibility of decision making. The fact that some collective bargaining agreements currently include union release time is evidence of this. Currently, union release time exists only where the school board and administration have deemed it productive and more cost-effective to have personnel dedicated to resolving labor issues.

Collective bargaining in public education is inherently a collaborative process meant to better the learning conditions of students and working conditions of teachers, paraprofessionals and school support staff. SB 280 prohibits release time for any union business activity and would hinder school administrators' ability to do their jobs by prohibiting union officials from meeting with them during business hours. If not conducted during the day, school administrators and board members would need to spend significant evening and weekend time, potentially incurring substantial overtime expense.

We are also concerned by the legal implications of SB 280 on our local unions. It is the right of an employee to be represented by her union. If union officials are not able to be present for discipline hearings, local unions could be liable for failing to represent our members. However, our local unions and their school districts find that by having consistent union officials who work with administrators, teachers, and school related personnel on a regular basis, problems can be dealt with more quickly and cost-efficiently before a problem is escalated to requiring a discipline hearing or filing of grievances.

In many cases, local unions reimburse the district for the time. Further, our local unions frequently reimburse the district for substitute teacher costs associated with release time. However, in some cases, school boards and administrators deem union release time to be a cost-effective way to improve the school and do not require reimbursement.

Of the almost 100 locals in our state federation, very few have collective bargaining agreements which include full-time paid release. In every instance, the scope, funding source, and use of release time is agreed upon by labor and management. This bill represents further erosion of local autonomy and control through state intervention.

AFT Michigan is also opposed to Senate Bill 279. This bill will prohibit individuals from accruing retirement service credit for time spent in collaboration and problem-solving activities with school administrators.

Unions are currently required by state law to reimburse school districts for both the normal MPSERS cost and the proportionate share of the unfunded accrued liability. The Office of Retirement Services estimates this bill would add stranded costs to MPSERS of nearly \$1 million every year – money paid into the system by unions, not the state. Let me be clear – this bill adds a \$1 million annual burden to MPSERS.